

### REMARKS

Claims 29 to 43 are pending.

#### § 112 Rejections

Claims 30-36 and 38 stand rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirements.

Claim 30 has been amended to more particularly identify the structure of the hydrophilic component as specifically described in the written description at page 10 lines 5 and 6.

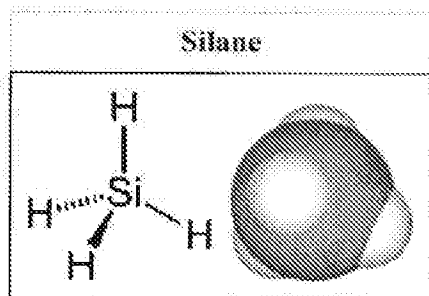
#### § 102 Rejections

Claims 29-32, 34, 36, 40, 41 and 43 stand rejected under 35 USC § 102(b) as being anticipated by de la Poterie et al. (US 5,972,354).

This reference does not disclose the claimed composition, which requires the presence of a hydrolyzable or hydrolyzed silyl group, the basic building block of which is a silane wherein the hydrogen can be substituted with other hydrolyzable groups, such as described at page 13 lines 20-22 of applicants specification.

## Silane

From Wikipedia, the free encyclopedia



Silane is a chemical compound with chemical formula SiH<sub>4</sub>. It is the silicon analogue of methane.

de la Poterie et al. (US 5,972,354) describes the use of **silicone** containing blocks. **Silicones** are inorganic-organic polymers with the chemical formula  $[R_2SiO]_n$ , where R = organic groups such as methyl, ethyl, and phenyl. These materials consist of an inorganic silicon-oxygen backbone (...-Si-O-Si-O-Si-O-...). These are not hydrolyzed or hydrolyzable silyl groups.

Claims 29-32, 34, 36, 40, 41 and 43 stand rejected under 35 USC § 102(b) as being anticipated by Kantner et al. (US 6,433,073) or Scholz et al. (US 6,605,666).

Again Kantner et al does not disclose hydrolyzed or hydrolyzable silyl groups. There is no passage referred to in the rejection that alleges that this reference teaches hydrolyzed or hydrolyzable silyl groups.

Again Scholz et al. (US 6,605,666) does not disclose hydrolyzed or hydrolyzable silyl groups. The passage (col 9 lines 34-66) referred to in the rejection is actually talking about sulfur containing groups.

#### Double Patenting

Claims 29-32, 34, 36, 40, 41 and 43 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26, 1-29 of US Patent Nos. 6,433,073 and 6,605,666.

This rejection is seen as improper for the reasons stated above.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Allowance of claims 29-36, 38-41 and 43, as amended, at an early date is solicited.

Respectfully submitted,

February 14, 2007  
Date

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